



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *HADLACZKY et al.*
Serial No.: 09/096,648
Filed: June 12, 1998
Confirmation No.: 2049
For: *ARTIFICIAL CHROMOSOMES,
USES THEREOF AND METHODS
FOR PREPARING ARTIFICIAL
CHROMOSOMES*
Art Unit: 1632
Examiner: Ton, Thaian

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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EL870639260US

Date of Deposit June 6, 2002

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and addressed to:

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Kelly M. Fischer
Kelly M. Fischer

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

Transmitted herewith is a Supplemental Information Disclosure Statement for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits of the Request for Continued Examination of the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 50-1213, as stated below:

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By: *Paula K. Schoeneck*
Paula K. Schoeneck
Registration No. 39,362

Attorney Docket No.: 24601-402A
Address all correspondence to:
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San Diego, California 92122-1246
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Kelly M. Fischer
Kelly M. Fischer

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

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Dear Sir:

This Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits of the Request for Continued Examination of the above-captioned application. Thus, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this information that is prepared in accordance with 37 C.F.R. §1.56.

Applicant makes known to the Examiner US Patent No. 6,228,604 B1, which issued on May 8, 2001. This patent claims priority to 08/695,191 and 08/682,080, now U.S. Patent Nos. 6,025,155 and 6,077,697 respectively, and 08/629,822, which the above identified application relies upon. US Patent No. 6,228,604 B1 designates Loma Linda University as the assignee. This assignee is not the same as the designated assignees for the above identified application, which are Biological Research Center of the Hungarian Academy of Sciences and

U.S.S.N. 09/096,648
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Supplemental Information Disclosure Statement

Chromos Molecular Systems, Inc.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common.

<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No.</u>	
Unassigned	05/01/02	24601-P426	TNT
Unassigned	05/16/02	24601-402K	↓
Unassigned	05/16/02	24601-402L	
Unassigned	05/30/02	24602-419	
Unassigned	05/30/02	24601-420	TNT

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER EHRMAN WHITE & MCAULIFFE LLP

By: Paula K. Schoeneck
Paula K. Schoeneck
Registration No. 39,362

Attorney Docket No. 24601-402A
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CHROMOSOMES*

Art Unit: 1632

Examiner: Unassigned

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Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Transmitted herewith, via hand delivery, is an Information Disclosure Statement, Forms PTO-1449 (24 pages) and cited references for filing in connection with the above-identified application. Because this Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account Number 08-1641, as stated below:

(X) The Commissioner is hereby authorized to charge the fee for the Information Disclosure Statement and any other fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 08-1641. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By: 

Stephanie L. Seidman
Registration No. 33,779

Date: 6/08/99
Attorney Docket No. 24601-402A
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Art Unit: 1632
Examiner: Unassigned

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**INFORMATION DISCLOSURE STATEMENT
IN ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 08-1641.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (24 pages) are provided herewith, along with copies of the references which are marked with the symbol "##" on the Forms PTO-1449. Copies of the remaining references (*i.e.*, those which are not labeled with the symbol "##") listed on the Form PTO-1449 are not provided herewith as they

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HADLACZKY *et al.*

INFORMATION DISCLOSURE STATEMENT

have been previously provided in connection with U.S. Serial No. 08/629,822, which is relied upon for an earlier filing date in accordance with 35 U.S.C. §120. The documents that are cited in connection with this application are in the English language, with the exception of item DP on the Form PTO-1449, *i.e.*, International PCT Patent No. WO 94/24300. International PCT Patent No. WO 94/24300, which is in the French language, has been provided with an English language Derwent abstract, listed as item GC on the Form PTO-1449. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant also makes known to the Examiner the following related applications:

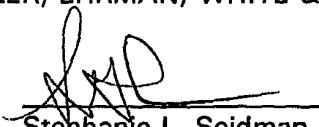
<u>U.S.S.N.</u>	<u>Inventor</u>	<u>Filing Date</u>	<u>Status</u>
08/759,558	HADLACZKY	9/13/91	Issued on 2/22/94 (5,288,625)
07/521,073	HADLACZKY	5/9/90	Abandoned
07/892,487	HADLACZKY	6/3/92	Abandoned
08/080,097	HADLACZKY	6/23/93	Abandoned
08/375,271	HADLACZKY	1/19/95	Issued on 1/27/98 (5,712,134)
08/734,344	HADLACZKY	10/21/96	Issued on 4/6/99 (5,891,691)
08/629,822	HADLACZKY <i>et al</i>	4/10/96	Pending
08/682,080	HADLACZKY <i>et al</i>	7/15/96	Issue fee paid on 11/5/98
08/695,191	HADLACZKY <i>et al</i>	8/7/96	Issue fee paid on 11/5/98
08/835,682	HADLACZKY <i>et al</i>	4/10/97	Pending

U.S.S.N. 09/096,648
HADLACZKY et al.
INFORMATION DISCLOSURE STATEMENT

<u>International Applications</u>	<u>Filing Date</u>
Canada 2,078,189-1	9/14/92
Canada 2,042,093-6	5/8/91
Europe 92115694.9	9/14/92
Europe 91304160.4	5/9/91
Japan 245206/92	9/14/92
Japan 199732/91	5/9/91
PCT/US97/05911 (Issued as WO 97/40183)	4/10/97

Applicant respectfully requests that the Examiner review the foregoing references and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By: 
Stephanie L. Seidman
Registration No. 33,779

Attorney Docket No. 24601-402A
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P.2

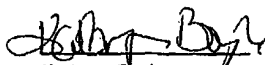
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Art Unit: 1632
Examiner: TON, THAIAN

I hereby certify that this paper and the attached
papers are being deposited with the United States
Postal Service as first class mail in an envelope
addressed to:

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202, on this date.

05/24/02
Date


Kathryn Boyle

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

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The documents listed on the Form PTO-1449 and supplied herewith are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

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Supplemental Information Disclosure Statement

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common.

	<u>U.S.S.N.</u>	<u>Filing Date</u>	<u>Docket No.</u>
TNT ↓ TNT	09/724,726	11/28/00	24601-402E
	09/724,872	11/28/00	24601-402F
	09/724,693	11/28/00	24601-402G
	09/799,462	04/17/01	24601-402H
	09/815,979	03/22/01	24601-402I
	Unassigned	04/17/02	24601-402J
	09/815,979	03/22/01	24601-416
	09/815,981	03/22/01	24601-416B
	10/086,745	02/28/02	24601-416C
	60/294,687	05/30/01	24601-P419
	60/296,329	06/04/01	24601-P419B
	60/294,758	05/30/01	24601-P420
	60/366,891	03/21/02	24601-P420B

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

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